



# CITY OF INDIO

## Agenda

### October 6, 2021

### City Council

The City Council serving as the Indio Water Authority,  
and Successor Agency to the Redevelopment Agency of the City of Indio

150 Civic Center Mall  
Indio, California

---

***The City Council Chamber will be open to the public and City Council meetings will be conducted in person and remotely through Zoom in compliance with Government Code Section 54953(e) (AB 361)***

The Council Chamber will have very limited seating available on a first-come, first-served basis. Members of the public will be required to comply with the California Department of Health Guidance for the Use of Face Coverings which requires unvaccinated individuals to wear a mask in indoor public settings unless otherwise exempt.

You may view the meeting via **Livestream** on the City's website at:

[https://www.indio.org/your\\_government/city\\_clerk/agendas.htm](https://www.indio.org/your_government/city_clerk/agendas.htm)

or via **Facebook Live** at:

<https://www.facebook.com/CityofIndio/>

or via **YouTube** at:

<https://www.youtube.com/channel/UCnJCb93GZ3LsUSpDYss2oWA>

or view and participate via **Zoom** at:

<https://us02web.zoom.us/j/81308168258?pwd=M3ppenBRRkZldEIVaVZhQXNhVkgrQT09>

Webinar ID: 813 0816 8258

Passcode: 141636

Consistent with Government Code Section 54953(e) (Assembly Bill 361), members of the Indio City Council and City Staff are permitted to attend the meeting by teleconference and such teleconference locations are not accessible to the public and are not subject to special posting requirements. If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act ("ADA") please contact the office of the City Clerk at 760-391-4007 prior to the meeting for assistance.

Members of the public who desire to address the City Council during the meeting may do so either in person or orally or in writing as described below.

**Oral Comments:** Oral testimony can be provided in person or during the virtual live session. Individual speakers are limited to three minutes each, unless the Mayor amends the time limit. To address the Council in person please complete speaker request card located at the entrance and give it to the City Clerk. Your name will be called when it is your turn to speak. To address the Council during the virtual live session via zoom, please email the City Clerk at [ssanchez@indio.org](mailto:ssanchez@indio.org) or alternatively, during the specific agenda item or general comment period (i.e. non-agenda items), please use the "raise your hand" function on zoom in order to be recognized by the City Clerk in order to provide comments in real time. **The City Clerk will facilitate to the extent possible any email requests to provide oral comments that are sent during the live meeting.** Please specify on the subject line of the email "Oral Comment" and note the agenda item number or if general comment (i.e. non-agenda item). To participate during the live session, please keep track of the meeting proceedings by watching the meeting via Livestream, Facebook Live, YouTube, or Zoom. Please raise your hand and your name or other identifier (phone number) will be called when it is your turn to speak.

**Written Comments:** If you are unable to provide comments during the meeting (whether in person or the virtual live session), written public comments on agenda and non-agenda items, or both, may be submitted by email to the City Clerk at [ssanchez@indio.org](mailto:ssanchez@indio.org). Please specify on the subject line the agenda item number or if general public comment (i.e. non-

agenda item). For example on a specific item, write "agenda item 8a" on the email subject line. **Email/Written comments must be received by the City Clerk no later than 2:00 p.m. on the day of the meeting** and such comments will be distributed to the City Clerk, City Council, posted on the agenda landing page and be made part of the agenda packet and public record of the meeting; however, they will not be read during the meeting.

**Public Hearing Items:** Any person may provide in-person comments on public hearing items. Oral or written comments will also be accepted on public hearing items in the manner prescribed in the notice at the top of this agenda except that comments will be accepted during the public hearing until the hearing is closed.

---

## **MISSION STATEMENT**

*THE CITY OF INDIO'S PUBLIC SERVANTS PROVIDE OUTSTANDING MUNICIPAL SERVICES TO ENHANCE THE QUALITY OF LIFE FOR OUR RESIDENTS, VISITORS AND THE BUSINESS COMMUNITY*

## **STUDY SESSION CITY COUNCIL 3:00 p.m.**

<https://us02web.zoom.us/j/81308168258?pwd=M3ppenBRRkZldEIVaVVhQXNhVkgrQT09>

Webinar ID: 813 0816 8258

Passcode: 141636

### **1. CALL TO ORDER AND ROLL CALL**

Mayor Elaine Holmes  
Mayor Pro Tem Waymond Fermon  
Councilmember Oscar Ortiz  
Councilmember Lupe Ramos Amith  
Councilmember Glenn Miller

### **2. PLEDGE OF ALLEGIANCE**

### **3. PUBLIC COMMENT**

*This is the time set aside for public comment for items not on the agenda. Public comments may be provided in the manner prescribed on the first page of this agenda.*

### **4. STUDY SESSION ITEMS**

- a. [A City Council Study Session for Discussion and Possible Direction on the following: Short-Term Rental Ordinance](#) (Roxanne Diaz, City Attorney & Jason Anderson, Code Enforcement Manager)

### **5. ADJOURN**

**CLOSED SESSION  
CITY COUNCIL  
4:00 p.m.**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Elaine Holmes  
Mayor Pro Tem Waymond Fermon  
Councilmember Oscar Ortiz  
Councilmember Lupe Ramos Amith  
Councilmember Glenn Miller

**2. PUBLIC COMMENT**

*This is the time set aside for public comment for items not on the agenda. Public comments may be provided in the manner prescribed on the first page of this agenda.*

**3. ADJOURN TO CLOSED SESSION to consider:**

- a. Conference with Legal Counsel, Anticipated Litigation-Significant Exposure to Litigation, Government Code Section 54956.9(d)(2); Number of potential cases: 2
- b. Conference with Labor Negotiator, Government Code Section 54957.6; City Negotiator: Bryan H. Montgomery, City Manager, Rob Rockwell, Assistant City Manager & Finance Director, Scott Trujillo, Deputy City Manager, and Andrew Ansoorian, Director of Human Resources and Risk Management; Employee Organizations: Police Command Unit Association (PCU)

**REGULAR JOINT MEETING  
CITY COUNCIL / INDIO WATER AUTHORITY / SUCCESSOR AGENCY TO THE  
REDEVELOPMENT AGENCY OF THE CITY OF INDIO  
5:00 p.m.**

<https://us02web.zoom.us/j/81308168258?pwd=M3ppenBRRkZldEIVaVVhQXNhVkgrQT09>

Webinar ID: 813 0816 8258

Passcode: 141636

**PLEASE NOTE THAT THE CITY COUNCIL  
MAY ACT ON ANY ITEM LISTED ON THE AGENDA**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Elaine Holmes  
Mayor Pro Tem Waymond Fermon  
Councilmember Oscar Ortiz  
Councilmember Lupe Ramos Amith  
Councilmember Glenn Miller

**2. INVOCATION**

*The City Council does not endorse the content of the invocation and does not endorse the invitational speaker's particular faith, belief and/or religious denomination. The City Council does not engage in any prior inquiry, review of, or involvement in, the content of the invocation, except to request the speaker to refrain from using the invocation as an opportunity to attempt to convert others to a particular faith or to disparage any faith or belief and for the speaker to face the City Council. The City Council has an established neutral policy for selecting and scheduling invitational speakers. The City Clerk will make the Council's policy on invocations available upon request for public inspection and copying.*

**3. PLEDGE OF ALLEGIANCE**

**4. CITY ATTORNEY REPORT ON CLOSED SESSION**

**5. PRESENTATIONS**

- a. Proclamation – Domestic Violence Awareness Month
- b. Proclamation – Cybersecurity Awareness Month
- c. Proclamation – National Community Planning Month
- d. Proclamation – National Arts Humanities Month

**6. REPORT ON CITY COUNCIL EXTERNAL/INTERNAL BOARDS, COMMISSIONS AND COMMITTEE MEETINGS AND REPORT ON MEETINGS ATTENDED PER GOVERNMENT CODE SECTION 53232.3(d)**

**7. CITY MANAGER REPORTS AND INFORMATION**

- a. Discussion of proposed Keep Indio Beautiful program
- b. Strategic Plan update

## 8. CONSENT CALENDAR

Consent calendar items are considered to be routine in nature and will be approved by one motion. Reading of text of Ordinances is waived and Ordinances are adopted as second reading, by title only. Public requests to discuss consent calendar items must be filed with the City Clerk before the consent calendar is called. This is the time for any member of the public wishing to speak on a consent calendar item to do so. Any member of the public wishing to speak shall have a total of three minutes to address any and all items on which he/she wishes to speak. Unless a consent calendar item is pulled for discussion by a council member, there will be no further opportunity to discuss the matter. If a consent calendar item is pulled for Council discussion and a member of the public then wishes to speak, he/she shall limit comments to the item pulled for discussion.

- a. [Minutes for City Council/Indio Water Authority meeting held September 15, 2021](#) (Sabdi Sanchez, City Clerk Administrator) Recommendation: Approve
- b. [City Warrants](#) (Rob Rockwell, Assistant City Manager and Director of Finance) Recommendation: Receive & File
- c. [IWA Warrants](#) (Trish Rhay, IWA General Manager) Recommendation: Receive & File
- d. [Accept the Bill of Sale and authorize the full release of a bond rider for Tract 30501 Indian Palms Country Club from Indian Palms Development Company LLC](#) (Trish Rhay, IWA General Manager) Recommendation: Authorize and Accept
- e. [Accept the Street and Survey Monument Improvements and authorize release of the Surety for D.R. Horton CA3, Inc., Tract Map No. 31975 \(Haciendas II\), located north of Avenue 43 and east of Calhoun Street](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve
- f. [Construction contract with Yunex, LLC in the amount of \\$405,885 plus contingency for the CDBG Street Light Updated Project \(Project No. SL2001\) and approve the use of \\$75,000 of American Rescue Plan Act funds for the project](#) (Timothy T. Wassil, Director of Public Works) Recommendation: Approve

## 9. ADMINISTRATIVE ITEMS

- a. [Discussion regarding teleconferenced meetings for all City legislative bodies pursuant to Assembly Bill 361 and making a determination pursuant to Government Code Section 54953\(e\)\(1\) that as a result of State's COVID-19 declared emergency, meeting in person would present imminent risks to the health or safety of attendees, and thereby authorizing the continued use of virtual teleconferenced meetings for all legislative bodies of the City](#) (Roxanne Diaz, City Attorney) Recommendation: Approve
- b. [Successor Agency Resolution No. SA 2021-42, authorizing and approving a Purchase and Sale Agreement between the Successor Agency and Indio Eight, LLC for the sale of a Successor Agency property located at 81725 Highway 111 \(APN 616-120-143\)](#) (Kevin H. Snyder, Director of Community Development) Recommendation: Approve

## 10. PUBLIC HEARINGS

- a. [Substantial Amendments to FY21/22 Annual Action Plan to reprogram unspent prior-year Community Development Block Grant-Coronavirus \(CDBG-CV\) Round 1 Funds and contract with Inland Counties Legal Services in the amount of \\$111,169 and with Inland Fair Housing and Mediation Board \(IFHMB\) in the amount of \\$111,164; authorize the City Manager to](#)

execute all necessary agreements, and direct the Finance Department to make necessary budget adjustments (Kevin H. Snyder, Director of Community Development)  
Recommendation: Approve

## 11. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

*This is the time set aside for public comment for items not on the agenda. Public comments may be provided in the manner prescribed on the first page of this agenda.*

## 12. ADJOURN

**Next Council / IWA Meeting: October 20, 2021**

Agenda packets are available on the city's website at [www.indio.org](http://www.indio.org) and at the City Clerk's Office in City Hall at 100 Civic Center Mall, Indio, California. Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, during normal City business hours.

## PUBLIC NOTICE

*The Indio City Council Chamber is accessible to person(s) with disabilities. If special equipment is needed, for the hearing impaired, please call the City Clerk's office. Persons with disabilities can receive this agenda in an alternative format and should call the City Clerk's office at 391-4007. Notification 48 hours prior to a meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102.35.104 ADA Title 11).*

## RULES OF DECORUM

*To help conduct the business of the City Council in an orderly fashion, the City Council has adopted rules pertaining to decorum and order, as provided for in Ordinance No. 1205. The City Council will strictly enforce these rules in order to allow full expression of ideas and opinions by councilmembers, staff and the public. Generally, the City's rules of decorum prohibit comments or actions which willfully disrupt the meeting. All remarks and questions shall be addressed to the Council as a whole and not to any particular member. No individual Councilmember or member of the City staff shall be questioned without first obtaining permission from the Presiding Officer. The City Council asks that all persons - including councilmembers, staff and the public - act and speak respectfully.*

## DECLARATION OF POSTING

*I, Sabdi Sanchez, City Clerk Administrator of the City of Indio, California, do hereby declare that the foregoing agenda was posted on October 1, 2021, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:*

City of Indio Council Chamber, 150 Civic Center Mall, Indio, CA 92201  
City of Indio website [www.indio.org](http://www.indio.org)

*Sabdi Sanchez*

SABDI SANCHEZ, CMC  
CITY CLERK ADMINISTRATOR